Harvard Law School Class Day Address
May 28, 2014
Prepared Remarks of U.S. Attorney Preet Bharara

Dean Minow, distinguished faculty, proud parents, family, friends, and members of the Harvard Law School Class of 2014.

Congratulations to you. You have so much to be proud of and so very much to be grateful for.

I want to congratulate by name the four most awesome members of the Class of 2014, because they used to work for me: Edeli Rivera; Kyle Wirshba; Heather Alpino; and Claire Guehenno.

This is a proud day for everyone, but for the parents especially. And not just for the graduates' parents. But also for my own. That's right—my own mom and dad are here and sitting in the front.

A few months ago, my dad calls when he sees the announcement about the Harvard Class Day program and tells me that he and mom would come up for it.

I say, "Dad, I am really touched. But you don't have to drive all the way up from New Jersey. You just had knee surgery; it's a long haul. Really, Dad, don't worry about it."

And so my Dad gets all serious and says to me: "Preet, how could we NOT come? And miss a once-in-lifetime chance—once in LIFETIME chance—to see the Mindy Kaling?"

That's fine. Mindy's parents came to see me.

So yes, two Indian Americans for the price of one this afternoon. Apparently, it's India Day at Harvard Law School. Please be sure to enjoy the lamb vindaloo and the chicken tikka masala that will be served immediately after the program.

So how did the decision meeting go exactly? I imagine these guys, your class marshals, are sitting around a table. One guy says, "Ok, we've got the U.S. Attorney from Manhattan." And then another guy says, "Hey, you know, as long as we're going Indian, why don't we throw in a funny Indian?"

Now don't get me wrong. I love the Mindy Kaling. But I can't help but feel like Harvard was a bit worried—can Bharara carry the whole program?

And, obviously, it determined: No. So, you know, I'm a little hurt.

I mean, two years ago you asked Attorney General Eric Holder to be your Class Day speaker. Apparently, you did not feel the need to also invite Chris Rock.

And last year, when you had Jeffrey Toobin, you did not hedge your bets with Jerry Seinfeld.

But it's okay. I understand. I will just do the best I can.

In any event, thank you for the honor. I have had an unexpectedly productive trip so far. I arrived last evening, stopped by the Business School, dropped off some subpoenas, arrested a couple of guys for insider trading, and finished off the night sipping a scorpion bowl at the Kong.

By the way, I hope that you have gotten to know your colleagues at the Business School. Because they are your future clients.

So, anyway, last night I am sitting at the Hong Kong restaurant, which I will note has changed like not at all in the 24 years since I used to be a loyal customer. And I'm sipping my scorpion bowl through that ridiculous kiddie straw, reviewing my prepared text for this speech—which was replete with lofty quotations from Oliver Wendell Holmes and Felix Frankfurter and, of course, one Mr. Langdell.

And then I had what people call a moment of clarity. A scorpion bowl will do that to you.

And the moment of clarity was this: You don't really want or need me to quote legal "scripture" to you. Not on Class Day at least. And it doesn't seem quite right, anyhow, without caps and gowns.

So, instead, I thought that, rather than speak esoterically about the law, I would speak more pragmatically about how to be successful—and happy—in law practice.

Now that is not so easy as it sounds. To be both successful and happy. As a lawyer.

You may be asking yourself, "What should I be focused on in my first job? Pleasing the partner? Networking? Getting clients? Setting myself up for the next job?"

A simple and excellent answer is actually provided by a scene from one of the greatest Martin Scorcese movies—*The Departed*. The Departed is set around here, in the Boston area, and it's loosely based on notorious mobster Whitey Bulger. So you can see why I might like this film.

Mark Wahlberg plays a cop, and there's a scene where a law enforcement operation goes south. Wahlberg's character is upset and he starts asking questions.

Somebody says to Wahlberg, "Who the F are you?" And Wahlberg says, "I'm the guy who does his job. You must be the other guy."

I submit that there is more wise career counsel in that short scene than in many volumes you might read.

Because that is where your focus should be always—being the guy who does his job. Whether you are an associate, a law clerk, an assistant DA, a public defender, or anything else.

Nothing else matters but doing your job and doing it well. Every day. Even when it's hard. Even when it's tedious. Even when it's dull. Even when the work seems small and beneath your brand-name schooling and God-given talent.

It means being the guy who does his job, even when no one is looking and no one will know the good ideas came from you.

If you do that, not only the next job, but your career, will take care of itself. Trust me on this.

Let me put it a different way.

Almost exactly four years ago, to the day, Philadelphia Phillies pitcher Roy Halladay achieved one of the most rare and difficult things in all of sports. He pitched a perfect game. Nine innings. No hits. No walks. 27 up, 27 down. He was perfect, and he is in the history books because of it.

Then four months later, on October 6, 2010, in the very same season, he threw a no-hitter (not quite perfect, but darn close). He did it in a playoff game. In all of baseball history, only two people have ever thrown a no-hitter in the post-season. Just two.

The Phillies pitching coach was asked by a reporter what advice he had offered his ace.

And the coach said he had given Roy Halladay a simple instruction: "Go out there and try to be good. If you just go out there and try to be good, you've got a chance to be great."

That is literally the best advice I have ever heard. It has stayed with me, and I hope it stays with you.

There is a tendency for people like you, who are so accomplished and so credentialed and so successful, to think of every endeavor as a ball game in which you're going to pitch a perfect game.

But it doesn't work that way.

You should have high aspirations. You should want to be monumentally successful. But you've got to do it one pitch at a time. It sounds cliché, but you've got to do it one pitch at a time.

Pitch after pitch after pitch. That's what develops into a perfect game or, by analogy, an outstanding career.

And no one who ever pitched a perfect game in baseball went to the mound that day expecting to do so. Because not only is that unrealistic, it is the height of arrogance.

And yet I see people all the time make that very mistake. They want to be great, before they have learned how to be good.

They want to be on the big matter, before they have handled a small one.

They want to try a case before they have argued a motion.

They want to be generals, before they have been good soldiers.

But first, you have to learn some craft. Actually learn how to practice law in whatever area you first pick.

Craft and competence will always matter more than connections. But in a lot of places, people often behave as if the reverse were true.

So learn some craft. You will stumble. It won't always go great. It didn't for me.

At my first important deposition as a young lawyer, in the face of a difficult adversary, I just couldn't figure out how to ask a good question. The going got so bad that opposing counsel at a break apologized to the court reporter. For me!

I never forgot that. But I got better. And you will too.

And once you have learned your craft and learned it well, you will be in good stead always. And I guarantee, you will be swimming in opportunities.

Let's talk about humility for a moment. Humility is underrepresented and undervalued in law practice. Which is too bad.

Why is humility important? Mostly, so you don't become unbearable. Also, because it will keep you open-minded and striving to do better.

So find someone in your life who will help keep you humble. Luckily, I have such people in abundant supply. My daughter, for example.

Quick true story: She is now 13, but about three years ago, when she was 10, my office had just won a very high-profile insider trading case. And the *New York Times* ran what I thought was a pretty nice profile on me. And so, for the first time ever, I actually asked my daughter to read something about her dad. So maybe she could be proud of me.

So I pull up the article and she begrudgingly begins reading it. I am watching her. I recall that the reporter ends the piece with some chest-thumpy and finger-waggy quote from me about how we are far from finished in going after Wall Street crime.

And my beautiful little 10 year old girl finishes the article, looks up at me, rolls her eyes a bit and says, and this is a direct quote: "Daddy, why are you such a drama queen?"

So make sure you have people like that.

If you don't, my daughter is available.

A part of humility, by the way, is becoming comfortable with self-doubt. It took me a while to appreciate this.

You think that when I became the U.S. Attorney for the Southern District of New York—a storied institution since 1789—that I said to myself, "Well, it's about time! Finally, I can fix 220 years of inferior leadership!"

Not quite. Here's how I did feel: I felt nervous and afraid and unworthy. I was terrified that I might not live up to the tradition of that place; that I might not ultimately measure up to the job; that I would be a disappointment to the people who had supported me.

You know, there's a hundred years of US Attorney portraits up on the wall—and they are all looking at me every morning when I walk past them to my office.

And you know what I think they're saying to me? "Don't screw it up, kid."

And so even now, after almost five years that have gone pretty well—I get nervous and afraid still. And if I ever lose that feeling, that's the day I should step down.

Now, don't get me wrong. I have plenty of self-confidence but also, on a fairly frequent basis, roaring self-doubt.

But self-doubt in moderation is animating and motivating, not paralyzing.

Leaders who have purged themselves of all self-doubt will not be leaders for long, and in my view, are dangerous while in command.

I have learned, over time, that self-doubt is my friend; and arrogance my enemy.

Now let's talk about something that will bring you down from time to time. It's called criticism. Brace yourself. Because you will receive it. Especially if you rise high or take a stand on something. And it will hurt. It might even sting.

Now there are some people who are not bothered by criticism, for whom everything rolls right off their back. They are Type B people. But criticism will bother you a lot, because you are Type A people.

I know what you guys are like because I'm the same way. You are the kind of people who are super competitive—even when playing board games with children.

By the way, there's nothing wrong with that. Kids gotta learn.

The key is to learn which criticism to take to heart to make yourself better and which criticism to laugh off; which criticism is well placed, and which is foolish.

Trust me, I have gotten to know a lot about criticism in this job. Sometimes just doing your job and doing the right thing will provoke criticism.

Been criticized by the left and by the right. Criticized by various governments. Been banned from Russia.

Sometimes criticism is valid.

The point is: don't be dismissive about criticism; but be discerning about it.

Another quick story: you may have heard about this case we had last year in which the State Department arrested a mid-level female Indian diplomat for visa fraud in connection with lies about what she would pay her domestic worker.

Not the crime of the century, but a serious crime nonetheless. That's why the State Department opened the case; that's why the State Department investigated it; that's why the career agents in the State Department asked career prosecutors in my office to approve criminal charges.

That basically caused an international incident. Now, putting aside disputes about the merits of the case, somehow the Indian government and the Indian press decided that the case was brought by me – an Indian American – for all manner of bad personal reasons. Never mind that the case was initiated and investigated by

career law enforcement officials, and I personally became aware of it only a day or two before the arrest was made.

Talk show hosts in India took to calling me a self-loathing Indian who made it a point to go after people from the country of his birth. Which was a bit odd, since the alleged victim in the case was also Indian.

An Indian official basically asked on television, "Who the hell is Preet Bharara?"

And the criticism got more and more intense, which might not have bothered me so much had my parents not been reading every word of it. And so that was tough. Because it upset them.

And then I had to explain to my daughter, who overheard a conversation in the house, what it meant to be called an Uncle Tom because that's what I was being called by journalists in South Asia. So that was not pleasant. And I will admit that, because it upset my parents, it upset me.

But then, as the accusations got more and more absurd, they became downright comical, and I got my perspective back.

After all, Indian critics were angry because even though I hailed from India, I appeared to be going out of my way to act American and serve the interests of America. Which was a bit odd, because I am American and the words "United States" are actually in my title.

And then I saw this line of attack in the foreign press: Bharara had undertaken this case to "serve his white masters." Presumably, Eric Holder and Barack Obama.

So, that is an example of criticism that is stupid.

And I realize, by the way, that I had a ready response to the Indian official who asked, "Who the hell is Preet Bharara?"

And it's this: "I'm the guy who does his job. You must be the other guy."

A couple of final general points—work for good people. Don't work for jerks, no matter how smart you think they are, and don't be a jerk yourself.

Also, while you are making your career happen, you are allowed to have fun. Even if the job at hand is deadly serious. We have fun at the U.S. Attorney's Office because we never take ourselves too seriously.

Humorlessness correlates directly with pomposity and, I really believe, also with failure.

So, I realize that a lot of this advice seems not unique to the practice of law. Well, there's a reason for that. The practice of law is a lot like any other endeavor in life. It can be messy and difficult and stressful, but the most important advice is the same: Do your job and be humble. Work for good people and be good to those who work for you. Accept criticism, unless it's foolish. Have fun and embrace humor.

Like other endeavors, the practice of law is about each pitch, about going out there and trying to be good every day, instead of trying to pitch a perfect game on the first try.

But I do want to conclude with a thought that **is** particular to the practice of law, especially for a Harvard Law School graduate. And it's this: the degree you are receiving is a precious (and powerful) gift. Yes, I know you worked hard and all, but it is a gift nonetheless. So don't squander it. There are people who would give a limb for the gift you are getting.

And you should be exceptionally proud of the career that you have chosen. I know not everyone loves lawyers, and I know that we lawyers are —as a group —much maligned.

But I continue to believe in the quaint and uncommon view that to become a lawyer is to join a noble profession.

I continue to believe also that there is no one better situated to prevent cruelty, promote equality, and preserve liberty than the person who has genuinely dedicated himself to becoming both a master and a servant of the law.

The potential power of a law degree is, I believe, unmatched in American society. No one is better situated to stand up for an ideal, or expose corruption, or champion underdogs, or correct injustice, or defend unalienable rights.

I think it is not an overstatement to suggest that the power of your degree gives you a degree of power that few possess, fewer know how to use, and fewer still know how to put to good purpose.

People spend their entire lives waiting for the chance to do something meaningful, to make a difference in the world. For so many people, too many people, that moment never comes. But you, simply by virtue of your new law degree (from Harvard, no less), will have that opportunity every single day. And I hope and pray that you will seize it. The world needs you to seize it.

I was trying to make it through this speech without quoting anyone more distinguished than Mark Wahlberg. But I saw the sad news this morning that beloved American author and poet Maya Angelou has passed away. And though she is gone, her words will always be with us.

And among the many beautiful words she strung together were these: "I've learned that you shouldn't go through life with a catcher's mitt on both hands; you need to be able to throw something back."

So: go out there and just try to be good; do it one pitch at a time; and don't forget to throw something back.

The world is waiting for you. Good luck.